

MEETINGS TO DATE 17
NO. OF REGULARS 14
NO. OF SPECIALS 3

LANCASTER, NEW YORK
AUGUST 11, 1986

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Central Avenue Community Center, 149 Central Avenue, Lancaster, New York on the 11th day of August 1986, at 6:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
JOHANNA COLEMAN, PLANNING BOARD MEMBER
GEORGE E. O'NEIL, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of the rezone petitions of Pat Marrano, as trustee of P.A. Marrano Trust, and the Busy Beaver Building Centers, Inc.

The joint boards then proceeded with the Environmental Assessment on the Marrano rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on an Environmental Assessment Form which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN GIZA
TO WIT:

IN THE MATTER OF THE SEQR REVIEW OF THE REZONE PETITION OF PAT MARRANO, AS
TRUSTEE OF P.A. MARRANO TRUST

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION**NEGATIVE DECLARATION**

PLEASE TAKEN NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described project, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
149 Central Avenue (Temporary)
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed rezone is of a parcel involving approximately 12 acres which is currently zoned by the Town of Lancaster as a R1, Single-Family Residence District. The owner has filed a petition seeking a zoning change to a R2, General Residence District.

The location of the premises being reviewed is the south side of William Street, approximately 1117 feet east of Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the project impacts to be as follows:

1. There will be a small to moderate impact as a result of a physical change to the project site.
2. There will be no effect to any unique or unusual land forms found on the site.
3. The project will not affect any water body designated as protected.
4. The project will not affect any non-protected existing or new body of water.
5. The project will not affect surface or groundwater quality.
6. The project will not alter drainage flow patterns or surface water runoff.
7. The project will not affect air quality.
8. The project will not affect any threatened or endangered species.
9. The project will not substantially affect non-threatened or endangered species.

10. The project will have a small to moderate impact upon views, vistas, or the visual character of the neighborhood or community.
11. The project will not impact upon any site or structure of historic, pre-historic or paleontological importance.
12. The project will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
13. The project will have a small to moderate impact upon the existing transportation system.
14. The project will not affect the community's sources of fuel or energy supply.
15. There will be no objectional odors, noise, glare, vibration, or electrical disturbances as a result of this project.
16. The project will not affect public health and safety.
17. The project will not affect the character of the existing community.
18. There is no public controversy concerning the project.

s/s _____
Stanley Jay Keysa, Supervisor
Town of Lancaster

and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a Notice of Determination in this matter with the Town Clerk, the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and the FAF, executed by the Supervisor, with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
PLANNING BOARD MEMBER COLEMAN	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER O'NEIL	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 11, 1986

The Joint boards then proceeded with the Environmental Assessment on the Busy Beaver Building Centers, Inc. rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on an Environmental Assessment Form which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN MILLER
TO WIT:

IN THE MATTER OF THE SEQR REVIEW OF THE REZONE PETITION OF BUSY BEAVER
BUILDING CENTERS, INC.

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION

NEGATIVE DECLARATION

PLEASE TAKEN NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described project, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
149 Central Avenue (Temporary)
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed rezone is of a parcel involving approximately 13 1/2 acres which is currently zoned by the Town of Lancaster as a C1, Local Retail Business District. The owner has filed a petition seeking a zoning change to a C2, General Commercial District.

The location of the premises being reviewed is the south side of Wehrle Drive, approximately 183 feet east of Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the project impacts to be as follows:

1. There will be a small to moderate impact as a result of a physical change to the project site.
2. There will be no effect to any unique or unusual land forms found on the site.
3. The project will not affect any water body designated as protected.
4. The project will not affect any non-protected existing or new body of water.
5. The project will not affect surface or groundwater quality.
6. The project will not alter drainage flow patterns or surface water runoff.
7. The project will not affect air quality.
8. The project will not affect any threatened or endangered species.
9. The project will not substantially affect non-threatened or endangered species.
10. The project will not affect views, vistas, or the visual character of the neighborhood or community.
11. The project will not impact upon any site or structure of historic, pre-historic or paleontological importance.
12. The project will have a small to moderate affect upon the quantity or quality of existing or future open spaces or recreational opportunities.
13. The project will not have an affect upon the existing transportation system.
14. The project will not affect the community's sources of fuel or energy supply.
15. There will be no objectional odors, noise, glare, vibration, or electrical disturbances as a result of this project.
16. The project will not affect public health and safety.
17. The project will not affect the character of the existing community.
18. There is no public controversy concerning the project.

s/s _____
Stanley Jay Keysa, Supervisor
Town of Lancaster

and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a Notice of Determination in this matter with the Town Clerk, the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and the FAF, executed by the Supervisor, with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
PLANNING BOARD MEMBER COLEMAN	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER O'NEIL	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 11, 1986

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the joint meeting was adjourned at 6:55 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

MEETINGS TO DATE 18
 NO. OF REGULARS 15
 NO. OF SPECIALS 3

LANCASTER, NEW YORK
 AUGUST 11, 1986

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 11th day of August 1986, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
 RONALD A. CZAPLA, COUNCILMAN
 ROBERT H. GIZA, COUNCILMAN
 DONALD E. KWAK, COUNCILMAN
 JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
 RICHARD J. SHERWOOD, TOWN ATTORNEY
 NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
 ROBERT LABENSKI, TOWN ENGINEER
 ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to consider construction of proposed water improvements on Enterprise Drive.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

QUESTIONS

ADDRESS

Terry Galanis, Sealing Devices,	4400 Walden Ave., Lanc. N.Y.
Marty Hannah, Advance Thermo Systems,	15 Enterprise Dr., Lanc., NY
Margaret Gastelger, Contractors Materials,	12 Enterprise Dr. Lanc., NY

PROPOSERS

ADDRESS

None

OPPOSERS

ADDRESS

None

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until a further Public Hearing is held setting forth cost data on this project.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon the adjourned rezone petition of Busy Beaver Building Centers, Inc.

The Town Clerk presented a copy of a letter which was mailed to the Town Clerk of the Town of Clarence notifying the Town of Clarence of the time and place of this adjourned Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "Access to Wehrle Drive will require permit from Erie County Division of Highways. Applicant will need to provide site plan and information on drainage."

COMMENTS

ADDRESS

Mark Hans, Town Engineer, Town of Clarence, noted appreciation for the notice of the hearing and reported that the Town of Clarence has no objection to this project.

PROPOSERS

ADDRESS

Carl Henry, Busy Beaver Co. representing the petitioner

OPPOSERS

ADDRESS

None

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the adjourned Public Hearing was closed at 8:50 P.M.

The Town Board later in the meeting suspended the necessary rule and adopted a resolution granting this rezone.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on July 21, 1986, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Article 5-G of the General Municipal Law of the State of
New York authorizes cooperative inter-municipal agreements, and

WHEREAS, the Town of Lancaster has heretofore entered into an
agreement with the Town of Cheektowaga for disposal of dead dogs, and

WHEREAS, by letter dated August 8, 1986, the Dog Warden has
recommended renewal of said Agreement,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby directed to execute
an Agreement between the Town of Lancaster and the Town of Cheektowaga for
disposition of dead dogs of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has advertised
for public bid for heating and lighting conversion for the town-owned library
at 5466 Broadway, Lancaster, New York, and

WHEREAS, bids have been received on the electrical lighting
conversion portion of this project on June 16, 1986, and referred to the
consulting engineer for review and recommendation, and

WHEREAS, the consulting engineer has determined the lowest
responsible bidder to be C.I.R. Electrical Construction Corporation, 1067 Harlem
Road, Cheektowaga, New York 14227, in the amount of \$17,250.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards
the contract for the electrical lighting conversion of the town-owned library
at 5466 Broadway, Lancaster, New York, to the lowest responsible bidder, being
C.I.R. Electrical Construction Corporation, 1067 Harlem Road, Cheektowaga, New
York 14227, in the amount of \$17,250.00.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Countryside Subdivision, Phase II, and

WHEREAS, Countryside Subdivision is a subdivision within the Town of Lancaster approved by resolution dated March 20, 1978, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application No. 92 of Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York, for the Installation of:

P.I.P. No. 92 -	Construction of approximately 12,240 s.f. of
(Paving & Curbs)	residential pavement and 7100 l.f. of 18 1/2" upright curbing (to match Phase I).

be and is hereby approved and the installation of the improvement requested

be and is hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of the sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvement rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

File: R-P.I.P. (Pages 1&2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, by letter dated July 16, 1986, Virgil Paul, Highway
Superintendent of the Town of Lancaster, has indicated the need for
additional funds in the 1986 Budget for trash collection and dumping,

NOW, THEREFORE, BE IT

RESOLVED, that the following amendments be and hereby are
authorized to the 1986 Part Town General Fund Budget:

<u>PART TOWN GENERAL FUND</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
Appropriated Fund Balance	B 599	\$15,380.00
Budget Appropriations	B 960	\$15,380.00
Trash Collection - Contractual		
Services	B 8160.0411	\$12,270.00
Trash Collection - Dumping Fees	B 8160.0412	\$ 3,110.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letters dated August 3, 1986, has requested the confirmation of one new member duly elected to the membership of the Twin District Volunteer Fire Department, Inc., and the deletion of three members from the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to and deletions from the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

ADDITION

John E. Weisbeck
5680 Broadway
Lancaster, New York 14086

DELETIONS

Kevin Kruse
Dennis Twardowski
Kenneth Matynka

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, a HUD Section 202 Housing Project with fifty (50) apartments is being proposed for the Town of Lancaster by the Belmont Shelter Corporation, and

WHEREAS, the census data shows that, while the population of the Town of Lancaster remained relatively static during the period from 1970 to 1980, the number of persons aged 60 and over increased by more than 1300, for a total of 5,060 persons, and

WHEREAS, census data reflects that 16.7% of the population of the Town of Lancaster consists of persons over age 60 with an increase of nearly 35% in that age group during the period from 1970 to 1980, and

WHEREAS, there is not such a facility available in the Town of Lancaster outside of the Village of Lancaster, and

WHEREAS, the nearest facility (the Towers) has an extensive, almost prohibitive waiting list, and

BELIEVING that affordable and appropriate housing can be an effective deterrent to institutional placement and care, the Town Board of the Town of Lancaster hereby

AFFIRMS its support for a housing project for the elderly in the Town of Lancaster as being in the best interests of the people of the Town of Lancaster, it is hereby

ORDERED, that upon adoption of this motion that the Town Clerk of the Town Board be and is hereby directed to forward copies of same to the United States Senators Moynihan and D'Amato; Congressman Nowak; County Executive Rutkowski; and Joseph B. Lynch, Area Manager, Department of Housing and Urban Development.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, PAT MARRANO, as Trustee for P.A. Marrano Trust, 265 Marrano Drive, Depew, New York, the contract vendee of a parcel of land on William Street, Town of Lancaster, which property is located on the south side of William Street, east of Transit Road, has petitioned the Town Board of the Town of Lancaster for the rezone of said property from R1-Single Family Residence District to an R2- General Residence District, said property being approximately 10 acres, and is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, and more particularly described as being part of Lot 95 of the Buffalo Creek Reservation,

BEGINNING at a point in the center line of William Street distant 1,117.4 feet easterly from its intersection with the center line of Transit Road, 1,028.40 feet to a point distant 543.2 feet north of the south line of Lot 95; thence easterly parallel with the south line of Lot No. 95, 496.13 feet to a point; thence running northerly parallel with the center line of Transit Road 1,023 feet more or less to the center line of William Street; thence westerly along the center line of William Street 496.13 feet to the point of beginning.

and

WHEREAS, the Planning Board of the Town of Lancaster and Planning Consultant have reviewed the rezone petition and recommended approval, subject to certain conditions, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed the application for rezone and made its recommendation with respect thereto, and

WHEREAS, a Public Hearing was held on the 21st day of July, 1986 at 8:45 o'clock P.M., Local Time, and

WHEREAS, full opportunity to be heard will be given to any and all citizens and all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and evidence adduced at said public hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

- (1) That the property is currently zoned R1-Single-Family Residence;
- (2) That the property surrounding the proposed rezone is R1;
- (3) That the property is approximately 368 feet east of a C2-General Commercial District.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster, is hereby amended and changed to provide that the premises herein previously described and petitioned and to be rezoned shall be rezoned from an R1-Single Family Residence District to an R2-General Residence District, subject to the following conditions imposed upon the rezone of the property:

- (1) No permanent structures are to be placed within any flood plain affecting the property;
- (2) Development of property will be limited to townhouse-for-sale development by the petitioner herein;
- (3) The units forming the development will be sold only as townhouses-for-sale, after all necessary approval has been obtained from the State of New York;
- (4) Detailed site plans have to be submitted within six (6) months of approval of the conditional rezone for review and approval by Town Board.

Development has to commence within one year of the approval of the site plan. Failure to commence development within that time period shall cause the zoning classification of the premises to revert to the original zoning classification petitioned from herein or its equivalent in any successor zoning ordinance.

- (5) The development will be limited to no higher than two-story buildings;
- (6) The Town Board of the Town of Lancaster shall retain general site plan approval, including the configuration of the building layout and design, street design and green area, and no building permit shall be issued until such approval has been granted.
- (7) The Town Board of the Town of Lancaster shall retain architectural design approval and no building permit shall be issued until architectural design has been approved.
- (8) Require setback from William Street to permit street expansion in William Street to four (4) lanes and developer will agree to construct sidewalks on William Street upon the request of the Town Board.

and

BE IT FURTHER

RESOLVED, as follows:

- (1) That said amendment to the Zoning Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on August 11, 1986,
- (2) That a certified copy thereof be published in the Lancaster Bee on August 14, 1986, in form attached hereto and made a part hereof,
- (3) That the Affidavit of Publication be filed with the Town Clerk;
- (4) That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from R1-Single Family Residence District to an R2-General Residence District, subject to the following conditions imposed upon the rezone of the property:

- (1) No permanent structures are to be placed within any flood plain affecting the property;
- (2) Development of property will be limited to townhouse-for-sale development by the petitioner herein;
- (3) The units forming the development will be sold only as townhouses-for-sale, after all necessary approval has been obtained from the State of New York;
- (4) Detailed site plans have to be submitted within six (6) months of approval of the conditional rezone for review and approval by Town Board;

Development has to commence within one year of the approval of the site plan. Failure to commence development within that time period shall cause the zoning classification of the premises to revert to the original zoning classification petitioned from herein or its equivalent in any successor zoning ordinance;
- (5) The development will be limited to no higher than two-story buildings;
- (6) The Town Board of the Town of Lancaster shall retain general site plan approval, including the configuration of the building layout and design, street design and green area, and no building permit shall be issued until such approval has been granted;
- (7) The Town Board of the Town of Lancaster shall retain architectural design approval and no building permit shall be issued until architectural design has been approved;
- (8) Require setback from William Street to permit street expansion in William Street to four (4) lanes and developer will agree to construct sidewalks on William Street upon the request of the Town Board.

The property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, and more particularly described as being part of Lot 95 of the Buffalo Creek Reservation,

BEGINNING at a point in the center line of William Street distant 1,117.4 feet easterly from its intersection with the center line of Transit Road, 1,028.40 feet to a point distant 543.2 feet north of the south line of Lot 95; thence easterly parallel with the south line of Lot No. 95, 496.13 feet to a point; thence running northerly parallel with the center line of Transit Road 1,023 feet more or less to the center line of William Street; thence westerly along the center line of William Street 496.13 feet to the point of beginning.

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Amendment to the Zoning Ordinance, with the original thereof filed in my office at Lancaster, New York, on the 11th day of August, 1986, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town, this 11th day of August, 1986.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Police Chief of the Town of Lancaster, by letter dated July 30, 1986, has requested permission to attend the Annual New York State Chiefs of Police Association Training Conference in Albany, New York, from August 24th through August 26th, 1986,

NOW, THEREFORE, BE IT

RESOLVED, that THOMAS E. FOWLER, Police Chief of the Town of Lancaster be and is hereby authorized to attend the Annual New York State Chiefs of Police Association Training Conference in Albany, New York, from August 24th through August 26th, 1986, and

BE IT FURTHER

RESOLVED, that expense reimbursement required for the attendance of Chief Thomas E. Fowler be and is hereby authorized in an amount not to exceed \$400.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 MILLER , TO WIT:

WHEREAS, HAROLD J. ZOERB, Route 3, Box 257, Louisville, Tennessee 37777, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property on the south side of Wehrle Drive and west side of Harris Hill Road in the Town of Lancaster, from an R1-Single Family Residence District to a C1-Local Retail Business District and RC-Residence Restricted Business District, said property being approximately 29.3 \pm acres, which property is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, and being part of Lots 6 and 8, Section 12, Township 11, Range 6 of the Holland Land Company Surevy (so called), bounded and described as follows:

BEGINNING at a point in the northeast corner of said Lot 6 which said point is also the intersection of the centerline of Wehrle Drive and the centerline of Harris Hill Road; thence westerly along the north line of said Lot 6, said north line being also the centerline of Wehrle Drive, One Thousand Three Hundred Sixty-four and Twenty-two hundredths (1,364.22) feet to the northwest corner of said Lot 6; thence southerly along the west line of Lot 6, seven hundred ninety-three and ninety-eight hundredths (793.98) feet to the northeast corner of lands conveyed to Christian Bowman by deed recorded in the Erie County Clerk's Office in Liber 12 of Deeds at Page 277; thence westerly along the north line of lands so conveyed to Bowman by aforesaid deed and parallel with the north line of said Lot 8, three hundred two and three hundredths (303.03) feet to the northwest corner of lands so conveyed to Bowman by aforesaid deed; thence southerly along the west line of lands so conveyed to Bowman by aforesaid deed, one hundred thirty-six and seventyfour hundredths (136.74) feet to the northwest corner of lands conveyed to Russell A. Gipple, by deed recorded in the Erie County Clerk's Office in Liber 5812 of Deeds at Page 26; thence easterly along the north line of lands so conveyed to Gipple by aforesaid deed and parallel with the north line of said lots 6 and 8, one thousand six hundred fifty-five (1,655) feet easterly to the centerline of Harris Hill Road at a point nine hundred thirty and forty-five hundredths (930.45) feet south of the point of beginning; thence running northerly along the east line of said Lot 6 and the centerline of Harris Hill Road nine hundred thirty and forty-five hundredths (930.45) feet to the Point of Beginning.

and

WHEREAS, the Town of Lancaster Planning Board and Planning Consultant have reviewed the rezone petition and recommended approval, subject to certain conditions, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed the application for rezone and made its recommendation with respect thereto, and

WHEREAS, a Public Hearing was held on the 7th day of April, 1986, at 8:10 o'clock P.M., Local Time, and

WHEREAS, full opportunity to be heard was given to any and all citizens and all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board and Planning Consultant, and the evidence adduced at said public hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

- (1) That the property is currently zoned R1-Single-Family Residence;
- (2) That the property directly east on Wehrle Drive is zoned C2-General Commercial District;
- (3) That the property directly west on Wehrle Drive is zoned R2-General Residence District;
- (4) That the property immediately east fronting on Harris Hill Road behind the above mentioned C2 property is zoned R2-General Residence District;
- (5) That the property to the immediate south of the petitioner is R1-Single Family Residence and is substantially vacant at this time.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed to provide that the premises herein previously described and petitioned and to be rezoned shall be rezoned from an R1-Single Family Residence District to a C1-Local Retail Business District, subject to the following conditions imposed upon the rezone of the property:

- (1) The above mentioned property will be rezoned in the following manner:
 - a. From a point in the northeast corner of the property, which point is also the intersection of the centerline of Wehrle Drive and the centerline of Harris Hill Road; thence running south 310 feet down Harris Hill Road; thence westerly 320 feet; thence running northerly 310 feet to the centerline of Wehrle Drive; thence running easterly to the point of beginning 320 feet, shall be rezoned C1-Local Retail Business District.
 - b. The remainder of the development will be rezoned RC-Residence Restricted Business District, furthermore, office development will be permitted only where indicated by areas marked "O" in petitioner's site plan Exhibit "C", dated May 6, 1985 and filed in the Town Clerk's Office.
 - c. Furthermore, the remaining buildings marked "A" shall be limited to a condominium development and more particularly restricted later in this document.
- (2) This shall be a provisional rezone with a full plan for the entire development to be submitted to the Town within six (6) months and construction of the first phase within one year of approval of site plan.
- (3) There will be no structures permitted more than two stories high.
- (4) All structures will be made of brick or masonry facing (all sides).
- (5) The residential units shall have the following square ft. minimums:
 - a. Efficiency Apartments/Condominiums - No less than 400 sq.ft.
 - b. 1-Bedroom Apartments/Condominiums - No less than 640 sq.ft.
 - c. 2-Bedroom Apartments/Condominiums - No less than 760 sq.ft.
 - d. 3-Bedroom Apartments/Condominiums - No less than 1000 sq.ft.
- (6) No basement will be constructed by blasting into the rock;
- (7) The site will be serviced by low-pressure grinder pump sanitary sewer system.
- (8) Regarding the sewer being currently extended on Harris Hill Road, the developer agrees to the following:
 - a. That at the option of Erie County Sewer District No. 4, the developer will either install a pipe parallel to the above mentioned sewer or replace it with adequate pipe at the sewer district's option, to the point of connection of the low pressure system with the gravity system .
- (9) That access roads to the development not be placed less than 200 feet from the intersection of Wehrle Drive and Harris Hill Road, that any access points be located to avoid exit or entry near existing homes, and that access points shall require joint approval of the Town Board and Erie County Highway Department.
- (10) A 3 ft. high berm, with suitable landscaping, be installed between the perimeter roads (Harris Hill Road & Wehrle Drive) and any parking areas within the project to prevent headlights from shining on adjacent property.
- (11) The detention basin shall be constructed at the start of the project (to 100 yr. flood standards) with the capacity to handle the increased water runoff from the project and upstream areas.
- (12) Internal drainage shall be designed and constructed to accommodate site runoff and upstream drainage.

- (13) Efforts should be made in planning and construction to protect the wetlands southwest of the project site.
- (14) Suitable efforts made by the developer in planning and construction to promote the preservation of and access to the Gipple Cabin.
- (15) That the internal water system be constructed to satisfaction of the Erie County Water Authority, Bowmansville Volunteer Fire Association and New York State Health Department.
- (16) The planning construction provide for 48" of cover over water and sewer systems.
- (17) A gravity storm water system should have preference over other utilities.
- (18) Site density shall be restricted to no more than eight (8) dwelling units per gross acre and maximum land coverage no more than 35% and required parking spaces should conform to regulations of the Lancaster Town Code. This condition applies to both Rc and R2 areas or areas marked "A" and "O" on Exhibit "C".
- (19) The area marked "S" on Exhibit "C" shall be restricted to a covered mall with internal access only by the public to the stores.
- (20) The Town should be provided an easement to areas around the Gipple Cabin and detention basin.
- (21) That condominium-type development is required as opposed to an apartment complex.
- (22) That sidewalks shall be constructed by the developer on Wehrle Drive and Harris Hill Road and the Town should be granted an 8.25 ft. easement for those sidewalks, which should be constructed to Town specifications.
- (23) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality.
- (24) Site shall be stripped only in the phase being constructed, and only upon approval of the Town Building Department, in accordance with Town regulations.
- (25) All storm drains along Wehrle Drive and Harris Hill Road shall be covered and drop inlets installed as determined by the Erie County Highway Department.
- (26) The Commercial Building described in 1 (a) above shall be limited to 56,500 sq. ft.
- (27) Fencing, if requested, shall be installed next to adjacent landowners, and said fence shall correspond to town standards.
- (28) Site drainage should be graded so that the runoff is contained on site or channeled to the wetlands at the southwest corner of the site at a rate of discharge approved by DEC.
- (29) Setback sufficient to allow the possible prospective expansion of Harris Hill Road and Wehrle Drive (not currently in planning).
- (30) All topsoil shall remain on site until its removal is approved by the Town Building Inspector.
- (31) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document.

and

BE IT FURTHER

RESOLVED, as follows:

1. That said amendment to the Zoning Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 11th day of August, 1986;
2. That a certified copy thereof be published in the Lancaster Bee on August 21, 1986, in form attached hereto and made a part hereof;
3. That the Affidavit of Publication be filed with the Town Clerk;
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an R1-Single Family Residence District to a C1 Local Retail Business District, and RC-Residence Restricted Business District, subject to the following conditions imposed upon the rezone of the property: _____

- (1) The above mentioned property will be rezoned in the following manner:
 - a. From a point in the northeast corner of the property, which point is also the intersection of the centerline of Wehrle Drive and the centerline of Harris Hill Road; thence running south 310 feet down Harris Hill Road; thence westerly 320 feet; thence running northerly 310 feet to the centerline of Wehrle Drive; thence running easterly to the point of beginning 320 feet, shall be rezoned C1-Local Retail Business District.
 - b. The remainder of the development will be rezoned RC-Residence Restricted Business District, furthermore, office development will be permitted only where indicated by areas marked "O" in petitioner's site plan Exhibit "C", dated May 6, 1985 and filed in the Town Clerk's Office.
 - c. Furthermore, the remaining buildings marked "A" shall be limited to a condominium development and more particularly restricted later in this document.
- (2) This shall be a provisional rezone with a full plan for the entire development to be submitted to the Town within six (6) months and construction of the first phase within one year of approval of site plan.
- (3) There will be no structures permitted more than two stories high.
- (4) All structures will be made of brick or masonry facing (all sides).
- (5) The residential units shall have the following square ft. minimums:
 - a. Efficiency Apartments/Condominiums - No less than 400 sq.ft.
 - b. 1-Bedroom Apartments/Condominiums - No less than 640 sq.ft.
 - c. 2-Bedroom Apartments/Condominiums - No less than 760 sq.ft.
 - d. 3-Bedroom Apartments/Condominiums - No less than 1000 sq.ft.
- (6) No basement will be constructed by blasting into the rock;
- (7) The site will be serviced by low-pressure grinder pump sanitary sewer system.
- (8) Regarding the sewer being currently extended on Harris Hill Road, the developer agrees to the following:
 - a. That at the option of Erie County Sewer District No. 4, the developer will either install a pipe parallel to the above mentioned sewer or replace it with adequate pipe at the sewer district's option, to the point of connection of the low pressure system with the gravity system .

- (9) That access roads to the development not be placed less than 200 feet from the intersection of Wehrle Drive and Harris Hill Road, that any access points be located to avoid exit or entry near existing homes, and that access points shall require joint approval of the Town Board and Erie County Highway Department.
- (10) A 3 ft. high berm, with suitable landscaping, be installed between the perimeter roads (Harris Hill Road & Wehrle Drive) and any parking areas within the project to prevent headlights from shining on adjacent property.
- (11) The detention basin shall be constructed at the start of the project (to 100 yr. flood standards) with the capacity to handle the increased water runoff from the project and upstream areas.
- (12) Internal drainage shall be designed and constructed to accommodate site runoff and upstream drainage.
- (13) Efforts should be made in planning and construction to protect the wetlands southwest of the project site.
- (14) Suitable efforts made by the developer in planning and construction to promote the preservation of and access to the Gipple Cabin.
- (15) That the internal water system be constructed to satisfaction of the Erie County Water Authority, Bowmansville Volunteer Fire Association and New York State Health Department.
- (16) The planning construction provide for 48" of cover over water and sewer systems.
- (17) A gravity storm water system should have preference over other utilities.
- (18) Site density shall be restricted to no more than eight (8) dwelling units per gross acre and maximum land coverage no more than 35% and required parking spaces should conform to regulations of the Lancaster Town Code. This condition applies to both Rc and R2 areas or areas marked "A" and "O" on Exhibit "C".
- (19) The area marked "S" on Exhibit "C" shall be restricted to a covered mall with internal access only by the public to the stores.
- (20) The Town should be provided an easement to areas around the Gipple Cabin and detention basin.
- (21) That condominium-type development is required as opposed to an apartment complex.
- (22) That sidewalks shall be constructed by the developer on Wehrle Drive and Harris Hill Road and the Town should be granted an 8.25 ft. easement for those sidewalks, which should be constructed to Town specifications.
- (23) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality.
- (24) Site shall be stripped only in the phase being constructed, and only upon approval of the Town Building Department, in accordance with Town regulations.
- (25) All storm drains along Wehrle Drive and Harris Hill Road shall be covered and drop inlets installed as determined by the Erie County Highway Department.
- (26) The Commercial Building described in 1 (a) above shall be limited to 56,500 sq. ft.

- (27) Fencing, if requested, shall be installed next to adjacent landowners, and said fence shall correspond to town standards.
- (28) Site drainage should be graded so that the runoff is contained on site or channeled to the wetlands at the southwest corner of the site at a rate of discharge approved by DEC.
- (29) Setback sufficient to allow the possible prospective expansion of Harris Hill Road and Wehrle Drive (not currently in planning)
- (30) All topsoil shall remain on site until its removal is approved by the Town Building Inspector.
- (31) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document.

Said property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, and being part of Lots 6 and 8, Section 12, Township 11, Range 6 of the Holland Land Company Surety (so called), bounded and described as follows:

BEGINNING at a point in the northeast corner of said Lot 6 which said point is also the intersection of the centerline of Wehrle Drive and the centerline of Harris Hill Road; thence westerly along the north line of said Lot 6, said north line being also the centerline of Wehrle Drive, One Thousand Three Hundred Sixty-four and Twenty-two hundredths (1,364.22) feet to the northwest corner of said Lot 6; thence southerly along the west line of Lot 6, seven hundred ninety-three and ninety-eight hundredths (793.98) feet to the northeast corner of lands conveyed to Christian Bowman by deed recorded in the Erie County Clerk's Office in Liber 12 of Deeds at Page 277; thence westerly along the north line of lands so conveyed to Bowman by aforesaid deed and parallel with the north line of said Lot 8, three hundred two and three hundredths (303.03) feet to the northwest corner of lands so conveyed to Bowman by aforesaid deed; thence southerly along the west line of lands so conveyed to Bowman by aforesaid deed, one hundred thirty-six and seventyfour hundredths (136.74) feet to the northwest corner of lands conveyed to Russell A. Gipple, by deed recorded in the Erie County Clerk's Office in Liber 5812 of Deeds at Page 26; thence easterly along the north line of lands so conveyed to Gipple by aforesaid deed and parallel with the north line of said lots 6 and 8, one thousand six hundred fifty-five (1,655) feet easterly to the centerline of Harris Hill Road at a point nine hundred thirty and forty-five hundredths (930.45) feet south of the point of beginning; thence running northerly along the east line of said Lot 6 and the centerline of Harris Hill Road nine hundred thirty and forty-five hundredths (930.45) feet to the Point of Beginning.

County of New York }
County of Erie } ss:
Town of Lancaster }

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the
zoning Ordinance

with the original thereof filed in my office at Lancaster, New York, on the 11th day of August, 1986 and that the same is a true and correct copy of said original, and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 11th day of August, 1986.

Robert P. Thill
Town Clerk and Registrar of
Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE & TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46, of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Central Avenue Community Center, 149 Central Avenue, Lancaster, New York, in Room 139, on the 2nd day of September, 1986 at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 14th day of August 1986, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 11th day of August, 1986, the said Town Board will hold a Public Hearing on the 2nd day of September, 1986, at 8:15 o'clock P.M., Local Time, at the Central Avenue Community Center, 149 Central Avenue, Lancaster, New York, in Room 139, to hear all persons upon the following amendments to the Vehicle & Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

.

ARTICLE X - Parking, Standing and Stopping

§46-12, Parking prohibited in designated locations, is amended by adding thereto:

.

26. On the south side and west side of Maple Drive from its intersection with Transit Road to a point 2100 feet east and south of said intersection.
27. On the north side of Maple Drive from its intersection with Transit Road to a point 1950 feet east of said intersection.

§46-13, Standing prohibited in designated locations is amended by adding thereto:

.

26. On the south side and west side of Maple Drive from its intersection with Transit Road to a point 2100 feet east and south of said intersection.
27. On the north side of Maple Drive from its intersection with Transit Road to a point 1950 feet east of said intersection.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER
BY: ROBERT P. THILL
Town Clerk

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, by letter dated
July 29, 1986, has requested the confirmation of three new members duly
elected to the membership of the Twin District Volunteer Fire Company,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the additions to the membership of the Twin District Volunteer Fire
Department of the following individuals:

Richard H. Schattner
4781 Transit Road
Depew, New York 14043

David Graczyk
149 Aurora Street
Lancaster, New York 14086
(Out of District)

Michael Jablonsk
17 Squirrel Run
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 11, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 2629 to Claim No. 2895 Inclusive.

Total amount hereby authorized to be paid:

\$ 284,227.56

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
194	Carl Bauer	4042 Walden Ave.	ER. SIN. DWLG, GARAGE
195	John/Lynn Kroll	615 Lake Ave.	ER. SIN. DWLG, GARAGE
196	Donald Wojtowicz	55 Heritage Dr.	ER. DECK
197	M/M Edw. Hino	5598 Genesee St.	DEM., ER. SHED
198	Henry Pych	173 Westwood Rd.	ER. SIN. DWLG, GARAGE
199	Homes by Helenbrook	19 Petersbrook Cir.	ER. SIN. DWLG
200	Jim Jakielaszek	25 Glele Ave.	ER. SATELLITE DISH
201	Kimmins Ind. Demol.	21 Central Ave.	DEM. OFFICES
202	Kidd-Kott Const.	5123 Transit Rd.	INST. TANK
203	Walt's Tree Service	69 Cemetery Rd.	REM., INST. TANKS
204	Jurek Builders	550 Hall Rd.	ER. SIN. DWLG, GARAGE
205	Barbara Helminiak	699 Schwartz Rd.	ER. POOL
206	Beauty Pools	9 Old Schoolhouse Rd.	ER. POOL
207	Marrano/Marc Equity	4 Shadyside La.	ER. SIN. DWLG
208	Arthur Zakszewski	591 Lake Ave.	ER. SIN. DWLG, GARAGE
209	David Palaszewski	142 Pleasant View Dr.	ER. SIN. DWLG, GARAGE
210	Richard Brown	35 Rollingwood Dr.	ER. SHED
211	Richard Schmitt	11 Ravenwood Dr.	ER. FENCE
212	Iona Builders	22 Quail Hollow	ER. SIN. DWLG, GARAGE
213	Dee-Jon Builders	181 Schwartz Rd.	ER. SIN. DWLG
214	Keri Collision	110 Cemetery Rd.	ER. SHED
215	George Baumann	370 Central Ave.	ER. CANOPY OVER PUMPS
216	Robert Enghart	450 Town Line Rd.	ER. SHED
217	M/M S. Kellermen	12 Partridge Walk	ER. FENCE

and,

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 194, 195, 198, 204, 208, and 213, be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that Building Permit Application No. 209, David Palaszewski, 142 Pleasant View Drive to erect a single dwelling, be and is hereby approved contingent upon the granting of an easement to the Town of Lancaster of 8.25 feet for sidewalk purposes and an agreement to install sidewalks in the future upon the written direction of the Lancaster Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

File: R-BLDG

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, BUSY BEAVER CENTERS INC., 701 Alpha Drive, Pittsburgh, Pennsylvania 15238, the petitioner and vendee under an Option Agreement, has petitioned the Town of Lancaster for the rezone of certain property on the east side of Transit Road and south side of Wehrle Drive in the Town of Lancaster, from C1-Local Retail Business District to C2-General Commercial District, said property being approximately 13.6 acres \pm , with a frontage of approximately 560 feet on Transit Road, which property is described as follows:

The property is identified as SBL Nos. 8203-1-58 and 8203-1-57 and contains approximately 13.6 \pm acres. The area to be rezoned fronts Wehrle Drive (60' right of way) and Transit Road (100' right of way).

BEGINNING at a point 183' more or less, southerly from the centerline of the intersection of Wehrle Drive and Transit Road and continuing southwardly along the centerline of Transit Road 560' more or less; thence 863' eastwardly along the northern line of the land of James M. Rzyrkowski, 50' southwardly, and 90' eastwardly to a point along the western line of Sarkes Stephens; then 105' northwardly to a point along the southern line of Stephen Amusements 90' westwardly, 690' northwardly to the centerline of Wehrle Drive; then along centerline of Wehrle Drive 670.30' \pm westwardly, 183' southwardly, 183' westwardly to the place of beginning.

and

WHEREAS, the Planning Board of the Town of Lancaster and the Planning Consultant have reviewed the rezone petition and recommended approval, subject to the following conditions,

1. That the trash compactor area be screened with a 5 ft. tall arborvitae on 2 ft. centers with the euonemus planted in the area designated as seeded to screen the trash area with evergreen material year-round.
2. The driveway entrance on Wehrle be moved westerly 12 ft. with the east line of the driveway tapering from 18 ft. at the Wehrle Drive property line to the proposed curb line opposite the compactor area.
3. Add a minimum of 25 pine or spruce trees in the green space along the east side to screen the service area from the residential area.

4. That all access driveways or roads from the subject property to Wehrle Drive will be reviewed and approved by the Lancaster Chief of Police and the Erie County Highway Department, and

5. That the drainage swale presently shown on the site plan on the southerly edge of the parking area is mandatory and shall not be deleted from the development for any reason.

and

WHEREAS, in accordance with §239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed the application for rezone and made its recommendation with respect thereto, and

WHEREAS, a Public Hearing was held on the 21st day of July, 1986, and continued and completed on the 11th day of August, 1986, and

WHEREAS, full opportunity to be heard was given to any and all citizens and all parties in interest,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed to provide that the premises herein previously described and petitioned to be rezoned shall be rezoned from a C1-Local Retail Business District to a C2 General Commercial District, subject to the following conditions imposed upon the rezone of the property:

1. That the trash compactor area be screened with a 5 ft. tall arborvitae on 2 ft. centers with the euonemus planted in the area designated as seeded to screen the trash area with evergreen material year-round.

2. The driveway entrance on Wehrle Drive be moved westerly 12 ft. with the east line of the driveway tapering from 18 ft. at the Wehrle Drive property line to the proposed curb line opposite and compactor area.

3. Add a minimum of 25 pine or spruce trees in the green space along the east side to screen the service area from the residential area.

4. That all access driveways or roads from the subject property to Wehrle Drive will be reviewed and approved by the Lancaster Chief of Police and the Erie County Highway Department, and

5. That the drainage swale presently shown on the site plan on the southerly edge of the parking area is mandatory and shall not be deleted from the development for any reason; and

BE IT FURTHER

RESOLVED, as follows:

1. That said amendment to the Zoning Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 11th day of August, 1986;

2. That a certified copy thereof be published in the Lancaster Bee on August 21, 1986, in form attached hereto and made a part hereof.

3. That the Affidavit of Publication be filed with the Town Clerk;

4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from C1-Local Retail Business District to C2-General Commercial District, subject to the following conditions imposed upon the rezone of the property:

- (1) That the trash compactor area be screened with a 5 ft. tall arborvitae on 2 ft. centers with the euonemus planted in the area designated as seeded to screen the trash area with evergreen material year-round.
- (2) The driveway entrance Wehrle Drive be moved westerly 12 feet with the east line of the driveway tapering from 18 feet at the Wehrle Drive property line to the proposed curb line opposite the compactor area.
- (3) Add a minimum of 25 pine or spruce trees in the green space along the east side to screen the service area from the residential area.
- (4) That all access driveways or roads from the subject property to Wehrle Drive will be reviewed and approved by the Lancaster Chief of Police and the Erie County Highway Department, and
- (5) That the drainage swale presently shown on the site plan on the southerly edge of the parking area is mandatory and shall not be deleted from the development for any reason.

The property is identified as SBL Nos. 8203-1-58 and 8203-1-57 and contains approximately 13.6+ acres. The area to be rezoned fronts Wehrle Drive (60' right of way) and Transit Road (100' right of way).

BEGINNING at a point 183' more or less, southerly from the centerline of the intersection of Wehrle Drive and Transit Road and continuing southwardly along the centerline of Transit Road 560' more or less; thence 863' eastwardly along the northern line of the land of James M. Rzykowski, 50' southwardly, and 90' eastwardly to a point along the western line of Sarkes Stephens; then 105' northwardly to a point along the southern line of Stephen Amusements 90' westwardly, 690' northwardly to the centerline of Wehrle Drive; then along center line of Wehrle Drive 670.30' + westwardly, 183' southwardly, 183' westwardly to the place of beginning.

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in said County of Erie, have compared the foregoing copy of LEGAL NOTICE OF REZONE with the original thereof filed in my office in Lancaster, New York, on the 11th day of August, 1986.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 11th day of August, 1986.



Town Clerk and Registrar of Vital Statistics

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to provide for parking space at the Town Hall, 21 Central Avenue, and

WHEREAS, Mobil Oil Corporation owns the property adjacent southerly to the Town Hall, and

WHEREAS, Mobil Oil Corporation has executed a License Agreement setting forth the terms and conditions upon which the Town of Lancaster may authorize a portion of the Mobil Oil Corporation property for parking,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute the License Agreement on behalf of the Town of Lancaster to provide for the parking space for the Town Hall on the Mobil Oil Corporation property.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, it is in the public interest of the Town of Lancaster to complete and file its 1986-87 Community Development Project Description Forms for community development funding for the year 1986-87, and

WHEREAS, the Supervisor, by letter dated August 11, 1986 has formulated a program for the use of funds expected under the 1986-87 Community Development Block Grant Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute and file the required 1986-87 Community Development Project Description Application Forms for the year 1986-87 on behalf of the Town of Lancaster, in accordance with a formulated program set forth in the letter of the Supervisor to the Town Board dated August 11, 1986.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "VEHICLE & TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held in Room 139 at the Central Avenue Community Center, 149 Central Avenue, Lancaster, New York, at 8:30 o'clock P.M., Local Time on the 2nd day of September, 1986, and that Notice of the Time and Place of such Hearing be published on or before the 21st day of August, 1986, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 11th day of August, 1986, the said Town Board will hold a Public Hearing on the 2nd day of September, 1986, at 8:30 o'clock P.M., Local Time, in Room 139 at the Central Avenue Community Center, 149 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the said Town.

ARTICLE IX - Speed Regulations.

"§46-9, Maximum Speed Limits.

.....

D. A speed limit of thirty-five (35) miles per hour shall be posted on the following designated highways:

.....

4. Pleasant View Drive - for eastbound and westbound traffic from Forton Drive east to the end of Pleasant View Drive at Pavement Road.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 11, 1986

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Buildings Foreman, Edward P. Malone, has eight (8) unused vacation days accumulated in 1986, and

WHEREAS, said Foreman has requested that the Town Board allow him to carry over these vacation days to the year 1987, and

WHEREAS, the Town Board agrees that it is in the best interest of the Town of Lancaster due to the move of the Town Hall offices and reconstruction at the Town Hall building at 21 Central Avenue, to allow Edward Malone to carry over these vacation days rather than use them in 1986, and

WHEREAS, an exception must be made to the Personnel Rules of the Town of Lancaster to provide for this;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants an exception to the Personnel Rules in the case of the unused vacation days accumulated in 1986 by Edward Malone, Buildings Foreman, to allow Mr. Malone to carry over these unused vacation days to the year 1987.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 11, 1986

STATUS REPORT ON UNFINISHED BUSINESS:

1. Bid Opening - Highway Department Trailer
The Town Board is awaiting specifications from the Highway Superintendent.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).
On December 2, 1985, the improvements authorized under Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), and 83 (storm sewer) were accepted by the Town Board. This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
4. Public Improvement Permit Authorization - Country View East Subdivision, Phase III (Marrano/Marc Equity).
On June 16, 1986, the improvements authorized under Public Improvement Permit Nos. 86 (water line), 87 (pavement and curbs), 88 (storm sewer) were accepted by the Town Board. This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
5. Public Improvement Permit Authorization - Countryside Subdivision, Phase II (Josela Enterprises)
On May 19, 1986, the Town Board authorized the issuance of Public Improvement Permit No. 91 (storm sewer). On August 11, 1986, The Town Board authorized the issuance of Public Improvement Permit No. 92 (pavement and curbs).
6. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
7. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
8. Reconstruction of Intersection, Genesee Street and Ransom Road
On May 5, 1986, the Supervisor reported that this intersection is presently under construction.
9. Rezone Petition - Busy Beaver Building Centers, Inc.
On July 21, 1986, a Public Hearing was held on this matter. The public hearing was adjourned until August 11, 1986 at 8:15 P.M. when further testimony will be taken. On August 11, 1986 the Town Board adopted a suspended resolution granting this rezone petition. The Town Clerk was directed to remove this item from future Town Board Agendas.
10. Rezone Petition - Richard L. Church
On July 21, 1986, this petition was referred to the Planning Board for review and recommendation.
11. Rezone Petition - Josela Enterprises, Inc.
On June 2, 1986, this petition was referred to the Planning Board for review and recommendation.

STATUS REPORT ON UNEFINISHED BUSINESS:

1. Bid Opening - Highway Department Trailer
The Town Board is awaiting specifications from the Highway Superintendent.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).
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6. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
7. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
8. Reconstruction of Intersection, Genesee Street and Ransom Road
On May 5, 1986, the Supervisor reported that this intersection is presently under construction.
9. Rezone Petition - Busy Beaver Building Centers, Inc.
On July 21, 1986, a Public Hearing was held on this matter. The public hearing was adjourned until August 11, 1986 at 8:15 P.M. when further testimony will be taken. On August 11, 1986 the Town Board adopted a suspended resolution granting this rezone petition. The Town Clerk was directed to remove this item from future Town Board Agendas.
10. Rezone Petition - Richard L. Church
On July 21, 1986, this petition was referred to the Planning Board for review and recommendation.
11. Rezone Petition - Josela Enterprises, Inc.
On June 2, 1986, this petition was referred to the Planning Board for review and recommendation.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:12. Rezone Petition - P.A. Marrano Trust

On June 2, 1986, this petition was referred to the Planning Board for review and recommendation. On July 7, 1986 the Town Board set a Public Hearing on this petition for July 21, 1986. On July 21, 1986, a Public Hearing was held on this matter with decision reserved by the Town Board. On August 11, 1986, the Town Board approved this rezone petition. The Town Clerk was directed to remove this item from further Town Board Agendas.

13. Rezone Petition - Dennis Richards

On July 7, 1986, this petition was referred to the Planning Board for review and recommendation.

14. Rezone Petition - George Stephan

On August 11, 1986, this petition was referred to the Planning Board for review and recommendation.

15. Rezone Petition - Frank/Sandra Surianello

On June 2, 1986, this petition was referred to the Planning Board for review and recommendation. On July 7, 1986 the Town Board set a Public Hearing on this petition for July 21, 1986. On July 21, 1986, a Public Hearing was held on this matter with decision reserved by the Town Board.

16. Rezone Petition - Harold J. Zoerb

On April 7, 1986, a Public Hearing was held on this petition and the Town Board reserved decision. On August 11, 1986, the Town Board approved this rezone petition. The Town Clerk was directed to remove this rezone from future Town Board Agendas.

17. Subdivision Approval - Brookfield Subdivision

On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.

18. Subdivision Approval - Plumb Estates Subdivision

On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief of Police, Highway Superintendent, Town Engineer and Town Planning Consultant for review and report.

19. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

20. Traffic Study - Speed Reduction, Pleasant View Drive

On June 16, 1986, this matter was referred to the Police Chief for investigation and recommendation. On August 11, 1986, the Town Board set a Public Hearing on the matter for September 2, 1986.

21. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

22. Traffic Study - Steinfeldt Road

On May 19, 1986, the Police Chief was requested to conduct a traffic study on this street. On July 7, 1986 the Town Board, after a Public Hearing, reduced the speed limit on this town road to 35 m.p.h. On August 11, 1986, the Town Clerk was directed to remove this item from future Town Board Agendas.

23. Zoning Ordinance and Map Update

On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.

PERSONS ADDRESSING THE TOWN BOARD:

Joseph Juszcak, 600 Pleasant View Drive, thanked the Town Board for their efforts in regard to having the Army Corp of Engineers look at the flooding in the area of Pleasant View Drive and Stony Road. Mr. Juszcak also discussed with the Town Board the issue of illegal dumping on a lot on Pleasant View Drive

William Kornacki, 504 Pavement Road, complained of illegal sale of used cars within the Town of Lancaster.

Mr. Daniel Gacek, 534 Aurora Street spoke with the Town Board relative to a surface water drainage problem on his property on Aurora Street.

COMMUNICATIONS:DISPOSITION

689. Town Clerk to Town Board - Notification of contract expirations during October 1986.	<u>TOWN ATTORNEY</u> _____ _____
690. Town Clerk to Governor - Request signing into law Bill S1429-B.	<u>R & F</u> _____ _____
691. Town Clerk to Clarence Town board - Transmittal of Legal re: Busy Beaver Building Centers, Inc. rezone petition with request for comments	<u>R & F</u> _____ _____ _____
692. Town of Boston to Various County Officials - Transmittal of resolution relative to deterioration of County roads.	<u>TOWN ATTORNEY FOR</u> <u>RESOLUTION 9/2/86</u> _____ _____
693. Highway Supt. to Town Board - Request Mary Condello be put on full-time status as of 1/1/87.	<u>BUDGET FILE</u> _____ _____
694. County Dept. of Environment and Planning to Town Clerk - "Erie County Community Technical Assistance Program Workshop Survey."	<u>R & F</u> _____ _____ _____
695. Buildings Foreman to Town Board - Requests carry over of unused vacation days to 1986-1987.	<u>TOWN CLERK FOR SUS-</u> <u>PENDED RESOLUTION</u> _____ _____
696. Supervisor to Secretary to Governor - Response to letter re: funding for aerial platform fire truck.	<u>R & F</u> _____ _____
697. Sheriff of Erie County to Supervisor - Invitation to tour new Holding Center.	<u>SUPERVISOR</u> _____ _____
698. Supervisor to Mrs. C. Schermerhorn - Acknowledging letter seeking form of compen- sation for LVAC's fine service.	<u>R & F</u> _____ _____
699. Supervisor to Josela Ent. - Response to letter re: Lease Agreement - Countryside Subdivision.	<u>BUDGET</u> <u>TOWN ATTORNEY</u> _____ _____
700. Dept. of Envir. & Planning to Northeast Board - Meeting Members - Minutes for meeting June 24, 1986.	<u>R & F</u> _____ _____
701. Supervisor to Town Hall Dept. Heads - Re: Location of offices in Central Ave. Community Center.	<u>R & F</u> _____ _____
702. Town Clerk to Planning Board Chairman - Re: Rezone petition - George Stephan.	<u>R & F</u> _____ _____
703. Erie County Water Authority to Town Clerk - Re: 8" main repair - O.W.I.P. #057265 and Hydrant replacement.	<u>BUDGET</u> _____ _____ _____
704. Twin District Fire Co. to Town Clerk - Recommendation of three firemen to roster.	<u>R & F</u> _____ _____
705. Supervisor to Town Board - Re: Town of Lancaster Investments for April, May and June, 1986.	<u>R & F</u> _____ _____

COMMUNICATIONS CONT'D:DISPOSITION

706. Police Chief to Town Board - Requesting permission to attend NYS Chiefs of Police Assoc. Training Conf. 8/24-28/86.	<u>RESOLUTION</u>
707. Town Clerk to Zoning Board Members - Re: Variance Petition - Gordon Peterson.	<u>R & F</u>
708. D.C.O. to Town Board - Monthly report for July 1986.	<u>R & F</u>
709. County Water Authority to Town Clerk - Notice of hydrant repair at 4763 Transit Rd.	<u>BUILDING INSPECTOR</u>
710. Town Line V.F.D. to Town Clerk - Recommendation of addition to and deletions from active roster.	<u>R & F</u>
711. Wilson, Klaes, Brucker & Worden, P.C. to Supervisor - Recommendation of bid award to C.I.R. Electrical Const. Corp. on library lighting system.	<u>R & F</u>
712. Town Line V.F.D. to Town Board - Notice of Hazmat Drill on 9/27/83 at Bowen Rd. and Cayuga Creek Bridge.	<u>COUNCILMAN CZAPLA</u> <u>CHIEF FOWLER</u> <u>SUPERVISOR KEYSA</u>
713. County Dept. of Environment and Planning to Consortium Sterring Committee - Comments re: additional 1986/87 CD Funds.	<u>R & F</u>
714. County Environmental Health services to Town Board - Transmittal of Approval of Completed Works re: Country View East Subdivision.	<u>TOWN ENGINEER</u>
715. Highway Supt. to Town Board - Request matter re: transfer of funds for trash collection be dropped.	<u>R & F</u>
716. Town Engineer to Town Clerk - Comments on review of plans for Brookfield and Plumb Estates Subdivisions.	<u>R & F</u>
717. Paul G. Kostusiak to Various Town Officials - Comments and objection to Church rezone.	<u>R & F</u>
718. Building Inspector to Town Board - Monthly report for July 1986.	<u>R & F</u>
719. Town Clerk to Supervisor - Monthly report for July 1986.	<u>R & F</u>
720. Planning Board to Town Board - Request permission to have two members attend N.Y. Planning Federation's 48th Annual Institute from 9/28-30/86.	<u>R & F</u>
721. D.C.O. to Town Board - Request execution of renewal agreement for disposal of dead animals with Cheektowaga.	<u>R & F</u>
722. Lovell Safety Mgt. Co. to Supervisor - Quarterly accident report for 4/1-7/1/86.	<u>R & F</u>
723. Building Inspector to Town Board - Request determination re: requirement of sidewalks at 142 Pleasant View Dr.	<u>R & F</u>

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications -
SUSPENSION GRANTED.

724. Belmont Shelter Corp. to Supervisor -
Proposed elderly housing complex in the
Town of Lancaster.

R & F

725. Supervisor to Town of Cheektowaga Supervisor -
Re: Fill in Ellicott Creek Flood Plain

R & F

726. Supervisor to Town Board -
Re: Community Development Block Grant Funds
1986-87

TOWN CLERK FOR
SUSPENDED RESOLUTION

ADJOURNMENT:

ON THE MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 11:00 P.M.

Signed

Robert P. Thill
Robert P. Thill, Town Clerk